

**MINUTES OF PUBLIC MEETING
FOR THE CORRECTIONS OFFICER RETIREMENT PLAN LOCAL BOARD
FOR THE JUDICIARY**

A Public Meeting of the Corrections Officer Retirement Plan Local Board for the Judiciary was convened Tuesday, October 6, 2020 at 10:00 a.m., Conference Room 109, Arizona State Courts Building, 1501 West Washington Street, Phoenix, Arizona.

Board Members Present in Conference Room 109: Kevin Kluge, Chair.

Board Member Present by Conference Call: Jason Hathcock; Jennifer Fish; Mark Smalley; Scott Mabery

Board Member Absent:

Also Present in Conference Room 109: Vanessa Haney, Board Secretary (conference call); Alicia Bocardo, Recorder; Applicant #20-04, Dawn Martian (conference call).

Call to Order:

Approval of the Minutes:

October 6, 2020 – Public Meeting Minutes

MOTION: A motion to approve the public minutes of the September 8, 2020 meeting was made by Mark Smalley. The motion was seconded and passed; minutes stand approved. **CORP 2020-53**

Disability Application #20-04 – IME Review

The Board received Application #20-04 for Ordinary Disability benefits from Dawn Martian on September 25, 2020.

The applicant is a Maricopa County Juvenile Detention Officer with 7.447 years of credited service with CORP.

The applicant identified the disabling conditions as: “Intrahepatic Cholangiocarcinoma”.

The applicant’s physical exam dated August 21, 2013 is provided. The exam report lists the following pre-existing conditions: Rheumatoid Arthritis.

The applicant was notified via certified letter that the Board would consider the application at this meeting and of the applicant’s right to attend.

The applicant initialed the Waiver of Confidentiality provision, to allow discussion of the medical condition in open public meeting.

The applicant provided medical reports of findings and treatment with the application. The application and medical reports were provided for the Board.

The criteria for Ordinary Disability benefits per A.R.S. §38.886.01 are: “Ordinary disability” means a physical condition that the local board determines will prevent an employee from totally and permanently performing a reasonable range of duties within the employee's department or a mental condition that the local board determines will prevent an employee from totally and permanently engaging in any substantial gainful activity.

A copy of A.R.S. §38-886.01 governing Local Board consideration of applications for Ordinary Disability was included for reference purposes.

The Chair noted for the record that Ms. Martian was present via conference call. The Chair asked Ms. Martian if she was still employed with the county. The applicant responded that she terminated on July 18, 2020.

The Chair also asked Ms. Martian if she had applied for Social Security Disability Benefits. She replied that her disability benefits via the Department of Economic Security had been approved. Ms. Martian further explained that the letter containing the information had been sent to the Local Board Secretary.

The Local Board Secretary responded that a copy was not included in her copy of records and requested the applicant to resend the letter.

Ms. Martian declined to make a statement.

Board member Jason Hathcock stated that he was in favor in referring the applicant to an Independent Medical Evaluation since she submitted her application and medical records in a timely manner.

MOTION: A motion to refer Applicant #20-04 for an Independent Medical Evaluation for Ordinary Disability was made by Scott Mabery. The motion was seconded and passed unanimously. **CORP 2020-54**

Update – Yearly CORP Membership Audit

COUNTY	TOTAL FINDINGS	RESOLVED	PENDING	ISSUE TYPE(S)
Apache	1	1	0	N/A
Cochise	10	5	5	Missing memberships/exams
Coconino	2	2	0	N/A
Gila	1	1	0	N/A
Graham	1	1	0	N/A
Maricopa	14	14	0	N/A

Mohave	3	3	0	N/A
Navajo	2	0	2	Missing membership/exams
Pima	7	4	3	Membership discrepancies, awaiting response from PSRPS
Pinal	2	2	0	N/A
Santa Cruz	3	3	0	N/A
Yavapai	4	3	1	Missing membership/exam
Yuma	1	1	0	N/A
TOTALS	51	40	11	

The Local Board Secretary advised the Board that of the 51 discrepancies discovered, 11 items are still pending. She explained that the 40 issues resolved were due to legal name changes and the county not informing the AOC CORP Local Board of employment status updates.

Board member Jason Hathcock inquired what response staff was awaiting from PSRPS. Staff explained that there were discrepancies based on records not found at the PSRPS level despite the member active with the county and the AOC database. It was further explained that those discrepancies arise when PSRPS has the member listed under a different report filter that sometimes is not apparent in the population list.

Board member Jason Hathcock also inquired that if the missing memberships listed could be recovered by PSRPS and if the missing memberships prompted missing contributions by the member.

Staff responded that PSRPS may not have copies of the membership enrollment forms since membership profiles are created via demographics meaning that members can have contributions and profiles setup without paperwork. Staff further explained that none of the members indicated had missing contributions and that the enrollment forms/physical exams were never sent to the AOC Local Board office upon date of hire.

The Local Board Secretary advised the Board that staff is working with the counties to consolidate all pending records.

2021 CORP Local Board Dates

Meeting dates for 2020 were proposed for the Board's approval. All meetings are scheduled to begin at 10:00 a.m.

January 5
February 2
March 2
April 6
May 4

June 1
July 6
August 3
September 7
October 5
November 2
December 7

MOTION: A motion to approve the proposed Board meeting dates for 2021 was made by Mark Smalley. The motion was seconded and passed unanimously. **CORP 2020-55**

Review of Items for Discussion with Public Safety

It was decided among the Board to discuss the following items with PSPRS per their future Board meeting attendance: plan information/tools available to new CORP members, surviving spouse calculations for members with over 20 years of credit service, legislation updates, and general benefit calculation/issues.

Approval of Normal Retirement Benefits:

There were two applications for Normal Retirement benefits submitted for the Board's approval pursuant to A.R.S. § 38-893 (D).

MOTION: A motion to approve the payment of Normal Retirement benefits to the following applicants in about the following amounts effective October 1, 2020 was made by Jason Hathcock. The motion was seconded and passed unanimously. **CORP 2020-56**

Timothy Lee	\$1,370.91
Charles Maduma	\$2,590.42

Decision on Notice of Retiree Return to Work: Tracy Morley

The Board received a Notice of Retiree Return to Work from Yavapai County for Tracy Morley. The form indicated that Ms. Morley retired from Yavapai County effective August 21, 2020. Ms. Morley returned to work for Yavapai County on August 24, 2020 as a Program Coordinator II, which is a Non-CORP designated position.

A copy of A.R.S. §38-884.N-O. was provided to the Board as well as a copy of Ms. Morley's current job description.

MOTION: A motion was made by Jennifer Fish that: (1) Ms. Morley is eligible to continue to receive a CORP pension; (2) Yavapai County is not responsible for paying an alternate contribution rate on her behalf since she returned to work in a non-CORP position. The motion was seconded and passed unanimously. **CORP 2020-57**

Acknowledgement of CORP Physical Exam Final Letter

A physical examination report has not been received for the member listed below. A certified letter was sent to the member regarding non-receipt of the CORP physical examinations within 60 days of receipt of the membership form.

<u>Name</u>	<u>Date Letter Sent</u>
Jorge Medina	August 12, 2020

A.R.S. § 38-884.B provides in part: “Any employee who fails or refuses to submit to the medical examination prescribed in this section is deemed to waive all rights to disability benefits under this article.”

The Chair noted for the record that the physical examination Jorge Medina was not received within 60 days of receipt of their membership applications and that final letter requesting the examinations were sent via certified mail.

Approval of Membership:

The Local Board may consider and vote on the approval of the following requests for membership or defer decision to a later date:

Amezcuca, Anna	Pima	8/8/2020
Avila, Eduardo	Maricopa	7/13/2020
Bennett, Rachel	Pima	8/9/2020
Borboa, Matthew	Pima	7/19/2020
Fortiz, Jesse	Pima	7/19/2020
Gazda, Matthew	Yuma	7/19/2020
Gonzalez Montes, Marisol	Yuma	8/2/2020
Lopez, Anais	Pima	7/19/2020
Martinez Borboa, Anthony	Pima	8/9/2020
Plaza, Alyssa	Yuma	8/2/2020
Pool, Andrew	Mohave	7/26/2020
Ramirez, Hector	Mohave	8/9/2020
Wilson, Marcus	Maricopa	8/2/2020

MOTION: A motion to approve the 22 applicants listed on the agenda for this meeting for membership in CORP pursuant to A.R.S. §38-893.D and to note for the record that the physical examinations for Maribel Aguilar, Cami Castaneda, Merissa Lawson, Troy Talmadge, Marcus Vigil-Oliverio and Lauren Young identified a physical or mental condition or injury that existed or occurred before their date of membership in the plan, was made by Scott Mabery. The motion was seconded and passed unanimously. **CORP 2020-58**

Future Agenda Items:

The Local Board Secretary informed the Board that there will be a high volume of retirement applications for November and December.

The Local Board Secretary advised the Board that an IME decision for ordinary disability benefits will likely be placed on the November 3, 2020 for Applicant #20-03.

The Chair inquired when a PSPRS Representative would be available to address the Board's questions. The Local Board Secretary responded to expect their presence at the January 5, 2021 meeting.

Call to the Public:

No members of the public addressed the Board.

The meeting was adjourned at 10:42 a.m.

Transcribed October 6, 2020.

DRAFT